**THE HON'BLE Ms. JUSTICE G. ROHINI**

**WRIT PETITION NO.1474 OF 2000**

**DATED: 20-06-2007**

Between :

1. Kachavarapu Venkateswra Rao and
   5 Others. .. Petitioners

And

1. The Government of A.P., rep. By the District
   Collector, Nalgonda., and 2 others. … Respondents

**THE HON'BLE Ms. JUSTICE G. ROHINI**

**WRIT PETITION NO.1474 OF 2000**

**ORDER :**

The petitioners herein are all agriculturists. On the allegation that they failed to pay water tax from the year 1996, the respondents 2 and 3 initiated proceedings under the A.P. Revenue Recovery Act, 1864 and the Form-I notice under Section 8 of the A.P. Revenue Recovery Act has been issued calling upon the petitioners to pay the alleged arrears within 24 hours. Aggrieved by the same, this writ petition has been filed.

This Court while directing Rule Nisi, by order dated 3-2-2000 granted interim stay of collection of the amounts demanded subject to the condition of payment of one half of the amount demanded.

I have heard the learned Counsel for both the parties and perused the material on record.

The petitioners have not only disputed the alleged liability towards arrears of water tax but also contended that no opportunity was given to them at any point of time before issuing the impugned demand.

The fact that the petitioners were not issued any prior notice has not been disputed in the counter-affidavit filed by the respondents.

In the circumstances, I am of the opinion that it would be appropriate to afford a reasonable opportunity to the petitioners to raise their objections against the impugned action for recovery of the alleged arrears.

Accordingly, the Writ Petition is disposed of with a direction to

the respondents to issue a notice as to the action proposed and after considering the explanation of the petitioners appropriate orders be passed in accordance with law. Till such time, no coercive steps shall be taken against the petitioners for recovery of the alleged arrears. No costs.

G. ROHINI, J.

Dt. 20-06-2007
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